



or incident involving public safety or security or possible criminal activity. In addition, if the recordings are relevant to a civil action or criminal prosecution, then the recordings may be released in compliance with a subpoena or an order of a court of record in accordance with the Tennessee rules of civil or criminal procedure. The court or administrative judge having jurisdiction over the proceedings shall issue appropriate protective orders, when necessary, to ensure that the information is disclosed only to appropriate persons. Release of any segment or segments of the recordings shall not be construed as waiving the confidentiality of the remaining segments of the audio or visual tape.

Based on the foregoing, it appears to the Court that this Agreed Protective Order is warranted and acceptable. Therefore, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

1. The video footage produced by the Metropolitan Government shall be deemed confidential and be subject to the requirements of this Agreed Protective Order. The video footage shall not be disclosed, except as otherwise permitted by this Order.

2. The parties and their counsel are prohibited from using or disclosing the video footage for any purpose other than in the present action.

3. The video footage shall not be disclosed, divulged, revealed, described, transmitted or otherwise communicated to any other person without the prior written consent of Metro except to:

a) the parties in this cause who have agreed to be bound by this Agreed Protective Order;

b) counsel of record of the parties in this cause who have agreed to be bound by this Agreed Protective Order;

(c) a member or employee of the law firm of record for any of the parties in this cause who have agreed to be bound by this Agreed Protective Order, and only to the extent such person is performing work in connection with this case and only to the extent necessary to perform such work;

(d) expert witnesses and non-testifying consulting experts retained by counsel of record

for parties in this cause who have agreed to be bound by this Agreed Protective Order and only to the extent necessary to prosecute or defend this case;

(e) a witness but only during depositions, hearings, or at trial;

(f) the Court or court personnel;

(g) the jury empaneled to hear this cause; and

(h) court reporters transcribing proceedings in this action.

4. Upon final disposition of this cause, whether by trial, appeal, settlement, or other final conclusion, the video footage produced pursuant to this Agreed Protective Order, including copies, shall be returned to the attorneys of record for the Defendant Metropolitan Government within thirty (30) days after notice is received of such final disposition of this cause, and until such time, all provisions of this Agreed Protective Order will remain in full force and effect.

5. This Agreed Protective Order shall remain in full force and effect until the final disposition of this cause, whether by trial, appeal, settlement, or other final conclusion, until modified, superseded or terminated by order of this Court, and it does not prejudice the right of any party to seek such modification by Court order.

6. It is understood and agreed that this Agreed Protective Order shall in no way constitute a waiver of the right of any party to this action to raise or assert any objections to, including but not limited to, defenses or objections as to any privilege or as to the relevancy, admissibility or authenticity of the video footage.

It is so **ORDERED**:

**ENTERED**, this 25th day of October 2019.

/S/ Joe B. Brown  
Joe B. Brown  
USMJ

APPROVED FOR ENTRY:

THE DEPARTMENT OF LAW OF THE  
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NASHVILLE AND DAVIDSON COUNTY  
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